REMARKS

With the addition of new claims 20 to 25, claims 1 to 25 are now pending.

It is respectfully submitted that all of the presently pending claims are allowable, and reconsideration of the present application is respectfully requested.

Claims 1 to 19 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,219,590 (the "Bernaden, III et al." reference).

As regards the anticipation rejections of the claims, to reject a claim under 35 U.S.C. § 102(b), the Office must demonstrate that each and every claim feature is identically described or contained in a single prior art reference. (See *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991)). As explained herein, it is respectfully submitted that the prior Office Action does not meet this standard, for example, as to all of the features of the claims. Still further, not only must each of the claim features be identically described, an anticipatory reference must also enable a person having ordinary skill in the art to practice the claimed subject matter. (See *Akzo, N.V. v. U.S.I.T.C.*, 1 U.S.P.Q.2d 1241, 1245 (Fed. Cir. 1986)).

Claim 1 relates to a method and provides for "controlling the execution of the computer program [having multitasking capability] in such a way that the system is transitioned . . . only when all of the transition conditions . . . have been fulfilled."

Claim 15 relates to a storage element storing a control program that causes a computing element to perform a method and provides for "controlling the execution of the computer program [having multitasking capability] in such a way that the system is transitioned . . . only when all of the transition conditions . . . have been fulfilled."

Claim 17 relates to a controller for controlling or regulating a system which is able to assume various possible states and provides for "a computing element on which a computer program having multitasking capability may be run; an arrangement for controlling execution of the computer program."

While the "Bernaden, III et al." reference may refer to execution of a program, nowhere does the "Bernaden, III et al." reference identically disclose (or even suggest) a computer program *having multitasking capability*, control thereof, or an arrangement for controlling execution thereof.

Accordingly, the "Bernaden, III et al." reference does not identically disclose (or even suggest) all of the features as provided for in the context of each of claims 1, 15, and

17. It is therefore respectfully submitted that claims 1, 15, and 17 are allowable over the "Bernaden, III et al." reference.

Claims 2 to 14 ultimately depend from claim 1 and therefore include all of the features of claim 1. It is therefore respectfully submitted that claims 2 to 14 are allowable over the "Bernaden, III et al." reference for the same reasons as claim 1.

Claim 16 depends from claim 15 and therefore includes all of the features of claim 15. It is therefore respectfully submitted that claim 16 is allowable over the "Bernaden, III et al." reference for the same reasons as claim 15.

Claims 18 and 19 depend from claim 17 and therefore include all of the features of claim 17. It is therefore respectfully submitted that claims 18 and 19 are patentable over the "Bernaden, III et al." reference for the same reasons as claim 17.

New claims 20 to 25 do not add any new matter and are supported by the present application including the Specification. Claims 20 and 25 depend from claim 17 and are therefore allowable for the same reasons as claim 17. Claims 21 to 23 ultimately depend from claim 1 and are therefore allowable for the same reasons as claim 1. Claim 24 depends from claim 15 and is therefore allowable for the same reasons as claim 15.

Furthermore, each of claims 21, 24, and 25 includes the feature in which an "availability of at least one input variable required for performance by the computer program of at least one task is dependent on performance by the computer program of at least one other task, and wherein satisfaction of at least one of the transition conditions is dependent upon the availability of the at least one input variable for the performance of the at least one task." The "Bernaden, III et al." reference does not identically disclose (or even suggest) transition conditions, the satisfaction of which depends upon the availability of input variables required for performance of a task. For this additional reason, it is respectfully submitted that claims 21 (and its dependent claim 22), 24, and 25 are allowable for these further reasons over the "Bernaden, III et al." reference.

Accordingly, claims 1 to 25 are allowable.

Conclusion

In view of the foregoing, it is respectfully submitted that all of claims 1 to 25 are allowable. It is therefore respectfully requested that the rejections be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

Respectfully submitted,

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